



BOARD OF COMMISSIONERS LAPORTE COUNTY Office Annex

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William Hager,
President

Michael Bohacek,
Vice President

Barbara Huston,
Member

LAPORTE COUNTY COMMISSIONERS

TUESDAY, July 15, 2008

The LaPorte County Board of Commissioners met in a regular session on Tuesday, July 15, 2008, at 10:00 a.m. in the LaPorte County Complex Meeting Room #3.

Commission President William Hager called the meeting to order at 10:00 a.m.

Present at the meeting were Commission President William Hager, Commission Vice President Michael Bohacek, and Commission member Barbara Huston. Also present, LaPorte County Auditor Teresa Shuter, LaPorte County Attorney Robert Szilagyi, and Executive Secretary Reathel Noveroske.

PLEDGE OF ALLEGIANCE

Mr. Bohacek led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Hager, under New Business I have G. Bull Ditch Cleaning and H. Trail Creek Bridge on Highway 35. Mr. Bohacek made a motion to approve the amended agenda, seconded by Mrs. Huston, motion carried by voice vote 3-0.

APPROVAL OF MINUTES

Mr. Bohacek made a motion to approve the minutes of June 30, 2008 and July 1, 2008, seconded by Mrs. Huston, motion carried by voice vote 3-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Mrs. Huston made a motion to approve payroll ending July 25, 2008, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims—\$ 1,028,384.25, Mr. Bohacek made a motion to approve, seconded by Mrs. Huston, motion carried with a roll call vote 3-0.

Regular Claims—\$ 1,482,718.85, motion to approve by Mrs. Huston, seconded by Mr. Bohacek, motion carried with a roll call vote 3-0.

CORRESPONDENCE

Tim Morgan, Superintendent, LaPorte County Parks Department/
Letter of Support for Grant to Replace Equipment

Mr. Morgan, the Park Department and Park Board request the County Commissioner's support of the Park Department's application of a (CMAQ) U.S. Federal Highway Administration's Congestion Mitigation Air Quality application for Diesel Retrofits/replacement, alternative fuel equipment for the replacement of a gasoline riding mower with a propane riding mower. Replacement of a gasoline dump/plow truck with a diesel truck, and replacement of a gasoline work truck with a hybrid electric/gas Saturn Vue vehicle. Total requested with trade in of existing equipment would be estimated at \$75,000.00 + total request. The LaPorte County Park Foundation is planning to partner with a gift of \$7,500.00 toward the match.

Mr. Bohacek made a motion to offer a letter of support for this grant, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Shaw Friedman, Attorney/ Update on LaPorte County
Intervention in NIPSCO Rate Case

Attorney Friedman, this commission has been exceptionally active over the past six years in a variety of cases involving NIPSCO rates and service & through a combination of reimbursement gained in these cases, as well as grants from the non-profit Indiana Utility Ratepayer Trust, our time and expense as well as that of our co-counsel in the NIPSCO cases is covered so that taxpayer dollars are not being expended. We've got good results to show, such as the new benchmark that was imposed this past year providing a limit on how much purchased power NIPSCO uses can be passed on to ratepayers and how much has to be paid for by NIPSCO shareholders. NIPSCO is rated as one of the most expensive utility companies in the state. This not only affects residents, but the ability to attract new manufacturing business. With NIPSCO scheduled to file its case in chief with the Utility Regulatory Commission on August 15, 2008, we intend to prepare testimony and to work with other consumer parties to best protect ratepayers.

Mrs. Huston, Thank you Mr. Friedman for all of your hard work for the citizens of LaPorte County.

REQUESTS

Steven Pearce, Captain, LaPorte County Sheriff's Office/Retain Medical
Insurance

Mr. Bohacek made a motion to approve retaining medical insurance for Mr. Pearce, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

OLD BUSINESS

Commissioners Appointment/LaPorte County Plan Commission (Tabled)

Mrs. Huston made a motion to remove off the table, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Bohacek made a motion to appoint Mr. Gene Jonas to the Plan Commission, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Mr. Jonas, I will try to do the best for LaPorte County and with my experience, I can be an asset to the commission. I will do my best for you.

Shaw Friedman, Attorney/Consideration of Mutual Release of Nexus Tort Claim

Mr. Friedman, you have before you a draft of a release and settlement agreement that provides no consideration and no payment but would resolve any and all claims between Nexus and the tort claim. We recommend approval of the proposed release.

Mr. Bohacek made a motion to allow Mr. Hager to sign the settlement agreement for the Board of Commissioners, seconded by Mrs. Huston, motion carried by voice vote 3-0.

NEW BUSINESS

Brad Lawrence & Dewey Bucher, LaPorte County Co-op/
Route Permit

Mr. McVay, we have conducted a site visit of County Road 1100 South, ½ mile east of U.S. 35, and find that currently this is a dirt road with poor soil and base conditions. This section of the road is agricultural with no residential development. Due to low traffic volume on this road, I would not recommend that the County improve the road at this time. If a route permit is granted, I would recommend that the road remain in its present state, or that the investors improve the road with a layer of limestone. It would be less costly for the County to maintain the road in its present state. Typically we request a renewable annual bond in the amount of \$50,000 when granting a permit to use load restricted county roads. As this is a dirt road in lieu of a paved road, the Commissioners may wish to waive the bond requirement.

Mrs. Huston made a motion to approve the route permit, seconded by Mr. Bohacek, motion carried by a voice vote 3-0.

Kent Carpenter, LaPorte County Building Maintenance/Frontrunner Networks

Mr. Carpenter, we are making a request for Frontrunner Networks to install two remote access devices. One device will be installed at the Juvenile Center and one will be installed at Community Corrections. These devices will enable Frontrunner to fix problems remotely 24 hours a day, 7 days a week.

Mr. Bohacek made a motion to approve \$1,058.00 for a refurbished device, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Mitchell Bishop, LaPorte County Planner/Kemps Office City, New Pricing for
Office Supplies

Mitch Bishop, you should all have received a new price guide from Kemps Office City for new pricing for office supplies. It looks like we could save the county approximately \$15,000 annually if it is approved.

Mr. Sanderson, this list could be expanded with higher priced items. The county could save \$8000 on cartridges alone.

Mr. Bohacek made a motion to adopt the new price list from Kemps and distribute it to the department heads with a cover letter from the Commissioners to strongly recommend to use Kemps Office City, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

John Kremke, Director of Construction & Development Operations, Countryside
Estates/Release & Return of Subdivision Bond

Mr. Kremke, please consider this request for release and return of the bond for Countryside Estates subdivision. We have addressed the items from an inspection conducted by Mr. McVay in 2006. We ask that final acceptance be granted and that the original bond be returned.

Mr. McVay, everything appears to be satisfactory.

Mr. Bohacek made a motion to release the bond, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Paul Trost, Administrator LaPorte County Health Department/Changes &
Additions to the Fee Ordinance

Paul Trost, I am asking for an increase in a few of our fees charged for services. The request is due to increases in prices for vaccines and lab work. We also would like to provide two new vaccines and begin charging for TB tests. We also need to increase the fee for our blood profile program.

Mr. Bohacek made a motion to approve the fee changes, seconded by Mrs. Huston, motion carried by roll call vote 3-0.

Patricia Pease, Administrator, LaPorte County EMS/Additional Appropriation
for Fuel

Pat Pease, this is for an additional appropriation in the amount of \$30,000 for fuel to take us through the end of the year. Our department has monitored our usage for all of this year.

Mrs. Huston made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Mrs. Pease, on a more positive note, the Federal Government had a House & Senate bill pending called the Medicare Ambulance Extension Act and it was approved. This will increase our Medicare payments 3% in rural areas and 2% in urban areas.

Maintenance of the West Arm of Bull Ditch

Mr. Hager, this is for the cleaning of Bull Ditch for \$23,700.00 brought to us by the LaPorte County Council, the LaPorte County Drainage Board does not have sufficient money to clean the Bull Ditch.

Mrs. Huston made a motion to approve the cleaning of Bull Ditch with Ditch Maintenance funds if available or Win tax and then replenish from the Ditch Fund and to pass on to the County Council, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

INDOT Bridge 3383 – U.S. 35 over Trail Creek/Adoption of Bridge by LaPorte County

Mr. McVay, the state has requested that LaPorte County adopt this bridge into our inventory. This is necessary in order for Michigan City to be given jurisdiction of Michigan Boulevard which is currently a state road. I have conducted an inspection of the bridge and find it to be in good condition. The substructure, superstructure, piers, and deck are structurally sound and it appears to be a fairly new bridge.

Mr. Bohacek made a motion that the county assume liability for the U.S. 35 bridge on Michigan Boulevard, seconded by Mrs. Huston, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

Steve Varela, I would like to give you an update on the Hudson Lake water level and environmental study. Hudson Lake Conservation Association has been involved in upgrading Hudson Lake. The DNR funded a diagnostic study and the results were highly encouraging. We are in the top tier of Indiana Lakes. Hudson Lake is highly dependent on precipitation, and the water has returned. We have an opportunity in front of us to take advantage of the present water level, reduce electric costs, and implement engineering and implementation tasks. We would like to maintain the water at its legally established level to provide full value to the public. We also want to continue to control aquatic plant growth and invasive species. Our cost is going to be about \$150,000.00 and we are here to ask for guidance and perhaps funding from the county.

Mr. Hager, we will take this under advisement.

Mrs. Shuter, I have an update on the tax process. We have just completed processing 30,000 rebate checks for the residents of LaPorte County that are legally entitled to the rebate checks and they are dated July 21, 2008. Mr. Layton and I have secured written permission to proceed with the plan that we have put together with Manatron to proceed with the 2006 pay 2007 reconciliation and 2007 pay 2008 provisional bills and reconciliation. The anticipated date for provisional tax bills 2007 pay 2008 is going to be sometime in August. We are going to be billing all the tax payers 50% of what was billed for 2006 pay 2007 as a provisional. As such provisionals are subject to penalty, we will not be reconciled until after the 2006 pay 2007 reassessment is complete. Once that is completed and we get new certified assessed values, we are going to need to recertify assessed values to the state. We will be receiving new tax rates, homestead credit rates, property tax replacement credit rates and start the entire process for the 2006 pay 2007 all over again. The Treasurer's Office throughout this process is going to maintain two sets of books because we are functioning in two different tax years.

COMMISSIONER'S COMMENTS

Mrs. Huston, I hope everyone enjoyed the 4th of July celebration and continues to enjoy the rest of the summer.

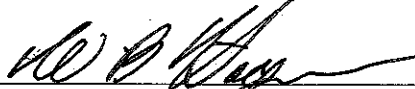
Mr. Hager, thanks to everyone for trying to conserve on fuel. For the public's information, the

Commissioner's are considering a 4 day work week.

ADJOURN

Mr. Hager adjourned the meeting at 11:12 A.M.


LAPORTE COUNTY BOARD OF COMMISSIONERS



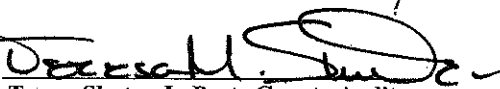
William Hager, Commission President



Michael Bohacek, Commission Vice President



Barbara Huston, Commission Member

ATTEST: 
Teresa Shuter, LaPorte County Auditor